

IN RE: PETITION FOR ZONING VARIANCE
W/S Norhurst Way North, 500' S of c/l of Winehurst Road
1904 Norhurst Way North
1st Election District
1st Councilmanic District
Stephen H. Pedrick, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 90-64-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Sections 1802.3.B and 301.1 to permit a 20 foot rear yard setback for an addition, and an open projection in lieu of the minimum 30 feet and 22-1/2 feet, respectively, and an amendment to the Second Amended Final Development Plan of Section II of Garywood, as more particularly described on Petitioners' Exhibit 1.

The Petitioners, Mr. and Mrs. Pedrick, appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 1904 Norhurst Way North, consists of .136 acres +/-, zoned D.R. 5-5, and is improved with an existing brick and frame, single family, dwelling. The Petitioners are desirous of constructing an addition on the rear of their home to serve as a family room and an open wood deck. The Petitioners testified that the proposed addition will annex the kitchen and dining room and will be constructed with a cathedral ceiling.

Testimony and evidence indicated that, in view of the layout of the subject lot, the Petitioners' proposal is the only practical location for the subject deck and family room.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 25th day of Oct., 1989 that the Petition for a Zoning Variance from Sections 1802.3.B and 301.1 to permit a 20 foot rear yard setback for an addition and an open projection in lieu of the minimum 30 feet and 22-1/2 feet, respectively, and an amendment to the Second Amended Final Development Plan of Section II of Garywood, in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

-2-

ORDER RECEIVED FOR FILING
Date 10/11/89
By Mr. Board

JRH/mm

cc: Peoples Counsel

2. The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment.
3. Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 10/13/89
By Mr. Board

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 1st
Posted for: Variance
Date of Posting: September 25, 1989
Petitioner: Stephen H. Pedrick, et ux
Location of property: W/S Norhurst Way North, see S of c/l of Winehurst Road
1904 Norhurst Way North
Location of Sign: In front of 1904 Norhurst Way North
Remarks: S.H. Pedrick
Posted by: S.H. Pedrick

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333
J. Robert Haines
Zoning Commissioner

August 1, 1989

Mr. & Mrs. Stephen H. Pedrick
1904 Norhurst Way North
Baltimore, Maryland 21228

Re: NOTICE OF POSTPONEMENT
Petition for Zoning Variance
CASE NUMBER: 90-64-A
W/S Norhurst Way, 500' S of c/l of Winehurst Road
1904 Norhurst Way
1st Election District - 1st Councilmanic
Petitioner(s): Stephen H. Pedrick, et ux

Dear Mr. & Mrs. Pedrick

Please be advised that the above hearing scheduled for August 25, 1989 has been postponed, pursuant to your request.

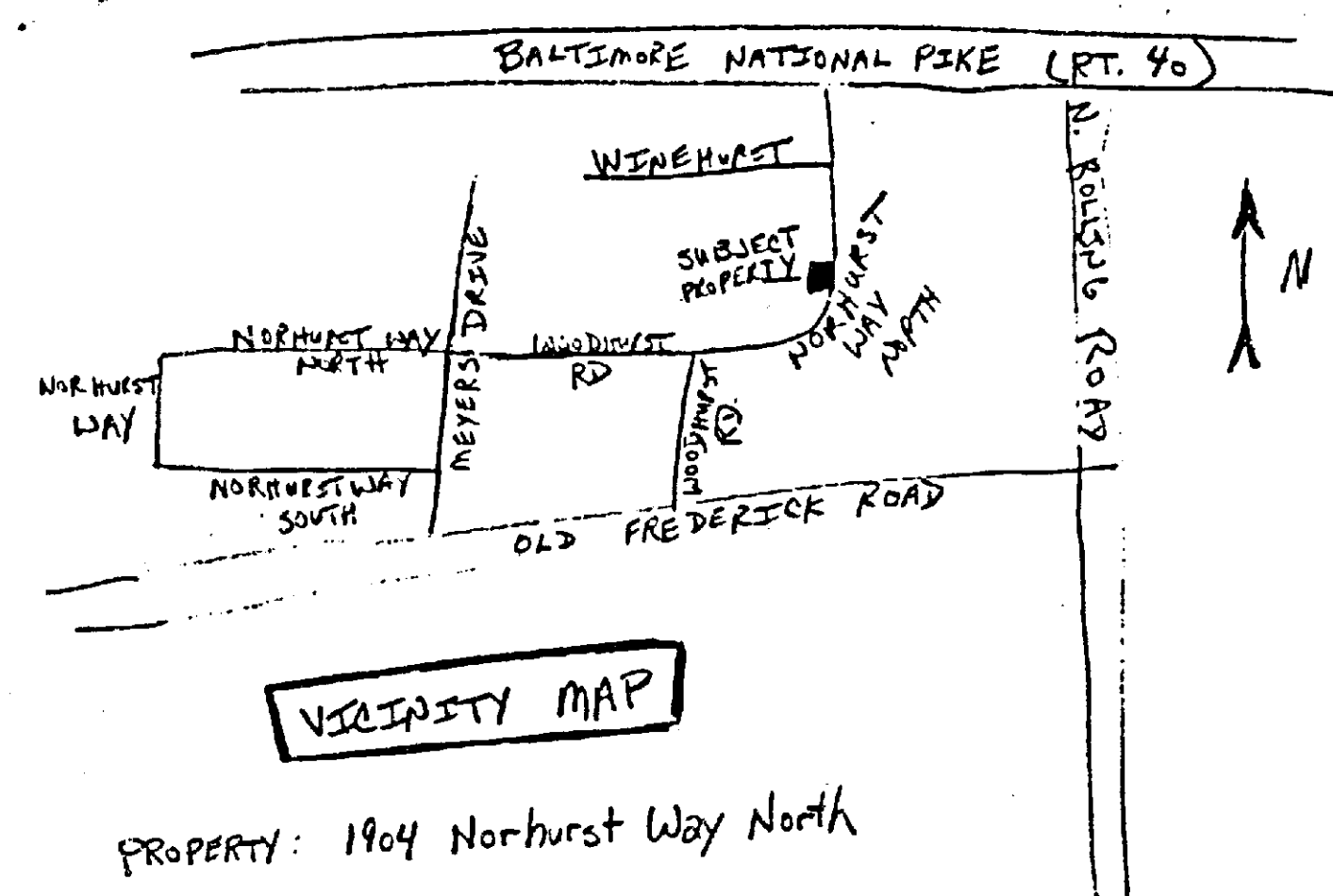
This case will be reassigned, at which time you will receive a new Notice of Hearing providing information on the new hearing date.

Very truly yours,
J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

JRH:gs
cc: File

ZONING DESCRIPTION

Located on the west side of Norhurst Way North at a distance of 500 feet south of the centerline of Winehurst Road and being known as lot No. 21, Block C as shown on Plat of Garywood, Section 2 recorded in Baltimore County, Maryland in Plat Book E.H.K. Jr. 50, Folio 44. Also known as 1904 Norhurst Way North in the 1st Election District.



PROPERTY: 1904 Norhurst Way North

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333
J. Robert Haines
Zoning Commissioner

Mr. & Mrs. Stephen H. Pedrick
1904 Norhurst Way North
Baltimore, Maryland 21228

Re: Petition for Zoning Variance
CASE NUMBER: 90-64-A
W/S Norhurst Way North, 500' S of c/l of Winehurst Road
1904 Norhurst Way North
1st Election District - 1st Councilmanic
Petitioner(s): Stephen H. Pedrick, et ux
HEARING SCHEDULED: FRIDAY, AUGUST 25, 1989 at 2:00 p.m.

Dear Mr. & Mrs. Pedrick

Please be advised that \$120.39 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID - D THE ZONING SIGN & POST SET(S)
RETURNED ON THE DAY OF THE HEARING ON THE ORDER SHALL NOT ISSUE.

BALTIMORE COUNTY, MARYLAND No. 077335
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 10/11/89 ACCOUNT R01615000
AMOUNT \$ 120.39
RECEIVED FROM Stephen H. Pedrick
FOR P.A. for 10/11/89 hearing 90-64-A
B 0077*****12039**0711-F
VALIDATION OR SIGNATURE OF CASHIER

JRH:gs
cc: File

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-64-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3B (1802.3-B) and 301.1 to permit a 20' rear yard setback for an addition and an open projection (deck) in lieu of the minimum 30' & 22 1/2' respectively and an amendment to the Second Amended Final Development Plan of Section II of Garywood of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

to permit a rear yard set back of 20 feet in lieu of the required 30 feet to construct additional space on a family dwelling originally purchased for a 3 person family but now being occupied by a 5 person family with plans to increase in the future.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

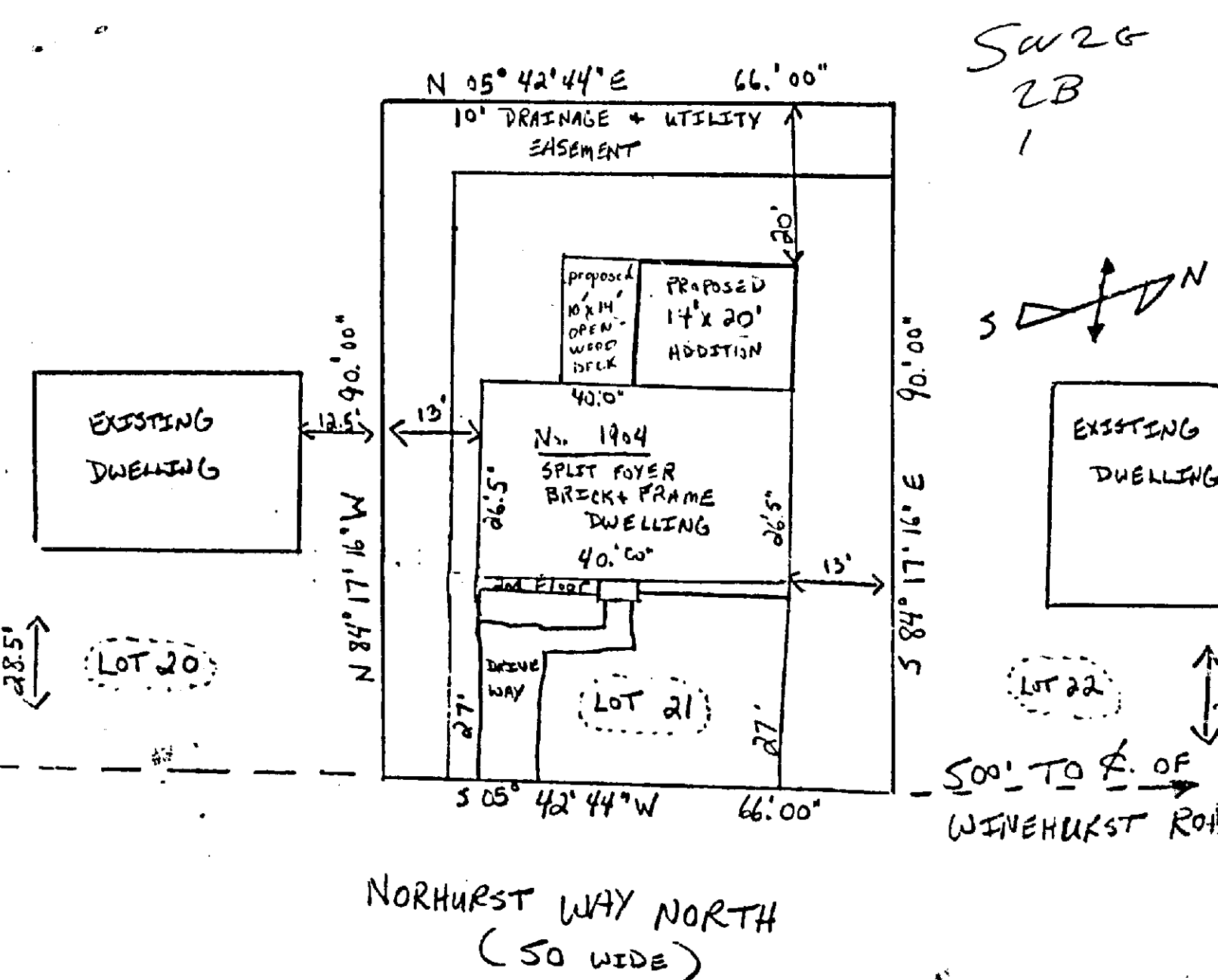
Contract Purchaser: (Type or Print Name) Stephen H. Pedrick
Signature: [Signature]
Address: [Address]
City and State: [City and State]
Attorney for Petitioner: (Type or Print Name) [Name]
Address: [Address]
City and State: [City and State]
Attorney's Telephone No.: [Number]

Legal Owner(s): (Type or Print Name) Stephen H. Pedrick
Signature: [Signature]
Address: [Address]
City and State: [City and State]
Name: [Name]
Address: [Address]
Phone No.: [Number]

ORDERED By The Zoning Commissioner of Baltimore County, this 24th day of September, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 25th day of August, 1989, at 2:00 o'clock P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

ESTIMATED LENGTH OF HEARING 1/2 HR.
AVAILABLE FOR HEARING MON./TUES./WED. - NEXT TWO MONTHS (over)
ALL OTHER DATE 5/31/89



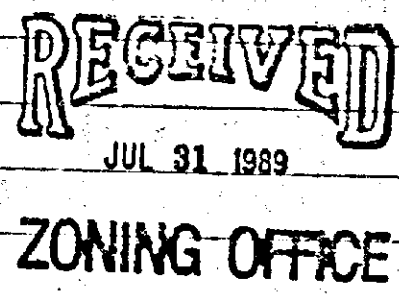
PLAT FOR ZONING VARIANCE
OWNER - STEPHEN AND TAMMY PEDRICK
DISTRICT - I, ZONED D.R. 5-5
SUBDIVISION - GARYWOOD, SECTION II,
LOT 21, IN BOOK E.H.K. JR. 50, FOLIO 44
Utilities in Norhurst Way North

LOT SIZE: 5,940 Sq. Ft. .136 AC

PETITIONER'S EXHIBIT 1

July 23, 1989

Open Stevens
Office of Planning & Zoning
for Baltimore County
Towson, Maryland 21204



Re: Petition for Zoning Variance
Case Number: 90-64-A
Petitioners: Stephen H. Pedrick, et ux

Dear Mr. Stevens:

In follow-up to our telephone conversation today,
please re-schedule the hearing date for this
above case number until after August 26, 1989.

Thank you for your cooperation in this matter. If
you have any questions or need anything additional,
please advise.

Very truly yours,

Mrs. Stephen H. Pedrick

Baltimore County
Fire Department
800 York Road
Towson, Maryland 21204-2586
(301) 887-4501

Paul H. Reincke
Chief

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: STEPHEN H. PEDRICK

Location: W/S OF NORHURST WAY NORTH, 500' S OF
THE CENTERLINE OF WINEHURST ROAD

Item No.: 528 Zoning Agenda: JUNE 13, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by
this Bureau and the comments below are applicable and required to be
corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site
shall comply with all applicable requirements of the National Fire
Protection Association Standard No. 101 "Life Safety Code", 1988
edition prior to occupancy.

REVIEWER: *John Kelly* 6-15-89 Noted and Approved *Pat Keller*
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

JUN 16 1989

CERTIFICATE OF PUBLICATION

TOWSON, MD. August 3, 1989

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., appearing on
August 3, 1989.

CATONSVILLE TIMES

THE JEFFERSONIAN,

S. Zake Olson

Publisher

PO 15119

reg M310:7

ca 90-64-A

price \$70.39

NOTICE OF PUBLICATION
The Zoning Commission of Baltimore County, by authority of the Zoning Act
and Regulations of Baltimore County will hold a public hearing on the property
identified herein in Room 106 of the County Office Building, located at 111
W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 90-64-A
W/S Northeast Way North, 500' S of c/l of Winehurst Road
1904 Northeast Way North
1st Election District - 1st Councilmanic
Petitioner(s): Stephen H. Pedrick, et ux
HEARING SCHEDULED: FRIDAY, AUGUST 25, 1989 at 2:00 p.m.

Variances to permit a 20 ft. rear yard setback for an addition and an open projection (deck)
in lieu of the minimum 30 ft. and 22 1/2 ft. respectively and an amendment to the Second Amended
Final Development Plan of Section II of Garywood.

In the event that this Petition is granted, a building permit may be issued
within the thirty (30) day appeal period. The Zoning Commissioner will, however,
entertain any request for a stay of the issuance of said permit during this
period for good cause shown. Such request must be in writing and received in
this office by the date of the hearing set above or presented at the hearing.

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: June 22, 1989

FROM: Robert W. Rowling, P.E.

RE: Zoning Advisory Committee Meeting
for June 13, 1989

The Developers Engineering Division has reviewed
the subject zoning items and we have no comments for
Items 493, 514, 517, 520, 521, 522, 524, 528, 529,
531, and 532.

For Item 511, the minimum panhandle width for
one lot is 20 feet, not 10 feet as shown on the plan.

For Items 513, 516 and 533 the previous County Review
Group Comments still apply.

For Item 519, all lots must have in-fee frontage
to a public road.

For Item 530, comments are attached.

RWB:w

Encl.

Robert W. Rowling
ROBERT W. ROWLING, P.E., Chief
Developers Engineering Division

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: July 24, 1989

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Stephen Pedrick, Item 528
Zoning Petition No. 90-64-A

The petitioner requests a variance to permit a 20 foot rear yard
setback for an addition and an open projection (deck) in lieu of the
minimum 30 foot and 22-1/2 foot respectively and amendment to the
Second Amended Final Development Plan of Section II of Garywood.
In reference to this request, staff offers no comment.

PK/sf

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

July 17, 1989

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act
and Regulations of Baltimore County will hold a public hearing on the property
identified herein in Room 106 of the County Office Building, located at 111
W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 90-64-A
W/S Northeast Way North, 500' S of c/l of Winehurst Road
1904 Northeast Way North
1st Election District - 1st Councilmanic
Petitioner(s): Stephen H. Pedrick, et ux
HEARING SCHEDULED: FRIDAY, AUGUST 25, 1989 at 2:00 p.m.

Variances to permit a 20 ft. rear yard setback for an addition and an open projection (deck)
in lieu of the minimum 30 ft. and 22 1/2 ft. respectively and an amendment to the Second Amended
Final Development Plan of Section II of Garywood.

In the event that this Petition is granted, a building permit may be issued
within the thirty (30) day appeal period. The Zoning Commissioner will, however,
entertain any request for a stay of the issuance of said permit during this
period for good cause shown. Such request must be in writing and received in
this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines

J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

JRH:ga

cc: Stephen H. Pedrick, et ux
File

BALTIMORE COUNTY, MARYLAND Inter-Office Correspondence

TO: FILE DATE:
November 29, 1989

FROM: Larry J. Goetz

SUBJECT: Building Permit B-036230
Variance 90-64-A
Steven & Tammy Pedrick
1904 Norhurst Way North

The building permit site plan did not conform exactly to the
variance granted.

A comparison of the variance and building site plans are as follows:

	Variance	Building
Rear Setback Remaining	20'	22'
Proposed Addition-Room	14 x 20	12 x 20
Deck	14 x 10	12 x 20
Square Footage Addition	280 sq.ft.	240 sq.ft.
Total Square Footage	420 sq.ft.	480 sq.ft.

The proposed building extends out two feet less than the request for
the variance. The house is on a lot abutting a wooded area in the rear
and the structure bulk would not impact the surrounding properties.

After review of the photographs and site plans by the Zoning
Commissioner on November 30, 1989, it was determined that the plan as
shown for building purposes fulfills the spirit and intent of the
variance granted.

I agree with
Mr. Goetz.

J. Robert Haines
J. Robert Haines

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building
Towson, Maryland 21204
(301) 887-3554

July 24, 1989



ZONING OFFICE

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number
493, 511, 513, 516, 517, 519, 520, 521, 522, 524, 528, 529, 530, 531, 532,
and 533.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF/lab

